

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION

LAWRENCE E. THOMAS-EL,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action
	)	No. 07-3054-CV-S-RED-H
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**ORDER AND JUDGMENT**

Pursuant to the governing law and in accordance with Local Rule 72.1 of the United States District Court for the Western District of Missouri, the petition herein for a writ of habeas corpus was referred to the United States Magistrate Judge for preliminary review under the provisions of 28 U.S.C. § 636(b).

The United States Magistrate Judge has completed his preliminary review of the petition and has submitted to the undersigned a report and recommendation that the petition be dismissed without prejudice.

Petitioner has filed exceptions to the report and recommendation of the magistrate judge, in which he continues to reassert his contention that he has exhausted administrative remedies by accepting an informal resolution from a previous institution, and that the supervised release warrant should be executed. As the magistrate judge clearly stated, if the petitioner is seeking relief from the effects of the lodged detainer in this district, he must exhaust administrative remedies. His belief that seeking an informal resolution in a prior institution satisfies that

requirement is without merit. See 28 C.F.R. § 542.15. Petitioner's exceptions must therefore be overruled. It is

ORDERED that petitioner be, and he is hereby, denied leave to proceed in forma pauperis; and it is further

ORDERED, ADJUDGED and DECREED that the petition filed herein be dismissed without prejudice.

/s/ Richard E. Dorr

RICHARD E. DORR  
United States District Judge

Date: June 26, 2007